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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/864,484 | 05/24/2001 | Ronald S. Cok | 82831THC | 2988 |

7590 11/09/2005
Thomas H. Close
Patent Legal Staff
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343 State Street
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EXAMINER

SHAPIRO, LEONID

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2677

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 09/864,484 | Applicant(s) COK, RONALD S. | |
| | Examiner Leonid Shapiro | Art Unit 2673 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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In view of the Brief on Appeal filed on 09.23.05, PROSECUTION IS HEREBY REOPENED. The new rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Specification

1. The disclosure is objected to because of the following informalities:

On page 4, Line 24 should be Fig. 8, instead of Fig. 8a. On page 4, Line 25 should be Fig. 9, instead of Fig. 8b.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over APA (Admitted Prior Art) in view of Iwai et al. (US Patent No.5,446,569).

APA teaches a touch screen for use with an organic light emitting diode (OLED) display (See in Description page 1, Lines 9-18), comprising:

- a) a substrate having a top side and a bottom side, the OLED display being located on the bottom side of the substrate (See Fig. 8, items 50, 52, in Description page 4, Lines 1-29);
- b) a plurality of touch screen elements located on the top side of substrate (See Fig. 8, items 12,14, in Description page 4, Lines 6-12); and
- c) a polarizing element for reducing glare and improving contrast of the OLED display (See Fig. 8, item 110, in Description page 4, Lines 24-26).

APA does not disclose polarizing element is an integral part of the substrate.

Iwai et al. teaches polarizing element is an integral part of the substrate (See Fig. 3, items 13-16, Col. 12, Lines 30-40).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate teaching Iwai et al. into APA system in order to reduce cost by purchasing an integrated element (See Col. 12, Lines 37-40 in the Iwai et al. reference).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over APA and Iwai et al. as applied to claim 1 above, and further in view of Wolk et al. (US Patent 6,485,884 B2).

APA does not disclose the OLED display is top emitting display and substrate of the touch screen also serves as a cover sheet on the top emitting display.

Wolk et al. teaches the OLED display is top emitting display (see Fig. 1b, items 150, 152a, 152b, Col. 9, Lines 43-58) and substrate of the touch screen also serves as a cover sheet on the top emitting display (See Fig. 1a, items 130, Col. 9, Lines 15-20).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate teaching of Wolk et al. into Iwai et al. and APA system in order to enable the fabrication and manufacture of patterned organic electronic device (See Col. 1, Lines 28-34 in the Wolk et al. reference).

Allowable Subject Matter

4. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relative to claim 6 the major difference between the teaching of the prior art of record (APA, Iwai et al. and Wolk et al.) and the instant invention is that OLED display is a bottom emitting display having a substrate on which are deposited organic light emitting elements that emit light through the substrate of the display and the substrate of the display also serves as the substrate of the touch screen.

Telephone Inquire

Art Unit: 2673

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LS
11.02.05

AMR A. AWAD
PRIMARY EXAMINER
